

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

: INFORMATION

- v. -

SUNITA KUMAR,

Defendant.

17 CRIM 703

:

x

COUNT ONE

(Health Care Fraud)

The United States Attorney charges:

1. From at least in or about January 2015, up to and including at least in or about December 2016, in the Southern District of New York and elsewhere, SUNITA KUMAR, the defendant, willfully and knowingly, did execute and attempt to execute a scheme and artifice to defraud a health care benefit program and to obtain, by means of false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, a health care benefit program, to wit, Medicare and Medicaid, in connection with the delivery of and payment for health care benefits, items and services, to wit, KUMAR engaged in a scheme to defraud Medicare and Medicaid by, among other things, submitting reimbursement claims to Medicare and Medicaid for prescription drugs that she

Judge Pauley

represented had been distributed to customers but which in fact were never distributed.

(Title 18, United States Code, Sections 1347 and 2.)

COUNT TWO
(Illegal Remuneration)

The United States Attorney further charges:

2. From at least in or about April 2016, up to and including at least in or about June 2016, in the Southern District of New York and elsewhere, SUNITA KUMAR, the defendant, willfully and knowingly, did offer and pay remuneration, including kickbacks, bribes, and rebates, directly and indirectly, overtly and covertly, in cash and in kind to persons to induce such persons to refer individuals to persons for the furnishing and arranging for the furnishing of items and services for which payment may be made in whole and in part under a Federal health care program, to wit, KUMAR offered to pay, and in fact paid, kickbacks to individuals to obtain prescriptions that were reimbursable by Medicare and Medicaid.

(Title 42, United States Code, Section 1320a-7b(b)(2).)

FORFEITURE ALLEGATION

3. As a result of committing the offense alleged in Count One of this Information, SUNITA KUMAR, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States

Code, Section 2461, any property, real or personal, which constitutes or is derived from proceeds traceable to such offense.

Substitute Asset Provision

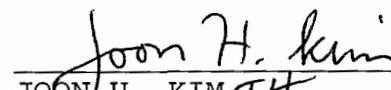
4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 982(b) and Title 21, United States Code, Section 853(p), to seek forfeiture of any other property

of the defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Sections 981 and 982; Title 21 United States Code, Section 853; and Title 28, United States Code, Section 2461.)


JOONG H. KIM TH
Acting United States Attorney

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INFORMATION

17 Cr. ____ (____)

(18 U.S.C. § 1347,
42 U.S.C. § 1320a-7b)

JOON H. KIM
Acting United States Attorney.
